

was not red-tagged, but as long as you have to go in and tear a building apart to replace one, it was appropriate to replace both boilers. The request originally was utilizing \$500,000 of utility savings for this year which, because of the mild winter plus a reduction in the cost of natural gas which had not been anticipated, that plus \$153,000 per year for five years on a lease purchase of the new boiler, but the committee, a majority of the committee felt that we should not proceed with that but rather that the University should go ahead and use their utility savings in addition to other utility savings which campus, that is institutionwide, all three campuses could be used to replace these boilers at this time rather than the utilization of any General Fund money. So the third amendment strikes from the bill any appropriation for the replacement of those boilers. So I would move adoption of the committee amendment.

SPEAKER BARRETT: Thank you, Senator Warner. Is there discussion on the amendments? Senator Hartnett, please.

SENATOR HARTNETT: Senator Warner, can I ask you some questions, or ask you one question, I guess.

SPEAKER BARRETT: Senator Warner, would you please yield.

SENATOR HARTNETT: That lawsuit, is that in process right now with Wyoming? I guess that's my question of you.

SENATOR WARNER: I think the answer is...well, the preliminary work is being done. It is not a...if the question is, is it actually in court right now, I do not believe that it is, but, obviously, there is an awful lot of work that has to go on in the process for such a trial at the Supreme Court.

SENATOR HARTNETT: It's coming over the horizon, is what you are saying.

SENATOR WARNER: Pardon.

SENATOR HARTNETT: It's coming. The lawsuit is coming. Is that...

SENATOR WARNER: Without any...yes.

SENATOR HARTNETT: Without any doubt in your mind?

SENATOR WARNER: I believe Wyoming has filed. Wyoming has filed